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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,511	06/09/2005	Keun-Kyu Song	21C0329US	3156

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CANTOR COLBURN, LLP  
20 Church Street  
22nd Floor  
Hartford, CT 06103

EXAMINER
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ULLAH, ELIAS

ART UNIT	PAPER NUMBER
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2892

NOTIFICATION DATE	DELIVERY MODE
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12/16/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptopatentmail@cantorcolburn.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/538,511	<b>Applicant(s)</b> SONG ET AL.	
	<b>Examiner</b> ELIAS ULLAH	<b>Art Unit</b> 2892	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-3 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-18 is/are allowed.
- 6) ☒ Claim(s) 4-9 and 11-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/1/2009</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. In view of the appeal brief filed on 7/28/2009, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 4-5, 7-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Muraoka (Muraoka, US 6,699,330).

With regard to claim 4, Muraoka shows a method of forming a pattern the method comprising: forming a photoresist pattern including novolak (col. 16, lines 37 -40, see also for photoresist made novolak Col. 9, lines 1-5) on a layer (col. 16, line 35-40, wherein wafer has oxide film) formed on a substrate 56 in (Fig. 7) and removing the photoresist pattern (col. 16, lines 50-55) using a stripping composition including an acetic acid and an ozone gas (col. 16, lines 44-50) included in the acetic acid in the form of a bubble (col. 16, lines 45-65).

The recitation of “ wherein a pH of the stripping composition is about 1.6 to about 5” is only a statement of the inherent properties of the a process of “removing photoresist pattern using as stripping composition including an acetic acid and an ozone gas included in the acetic acid in the form of a bubble.” The process as discussed above claim 4 rejection recited in Muraoka is substantially identical to that of the claims, claimed properties or functions are presumed to be inherent. Or where the claimed and prior art products are identical or substantially identical in structure or composition, or are produced by identical or substantially identical processes, a *prima facie* case of either anticipation or obviousness has been established. *In re Best*, 195 USPQ 430, 433 (CCPA 1977) and MPEP 2112.02. Applicants also referred to review following references US 2002/0011257 in [0067] and US 2002/0088478 in [0079] for evidences regarding claimed properties or function are presumed to be inherent.

With regard to claim 5, Muroka shows the stripping composition (col. 16, lines 44-50) is prepared by bubbling (col. 16, lines 45-50) the ozone gas in the acetic acid.

With regard to claim 7, Muraoka shows the removing the photoresist pattern by spraying the stripping composition onto the photoresist pattern to wet the photoresist pattern and rinsing the photoresist pattern (col. 16, lines 50-60).

With regard to claim 8, Muraoka shows the photoresist pattern is rinsed using water (col. 17, lines 1-5).

With regard to claim 9, Muraoka shows moving the substrate in a first direction during spraying the stripping composition onto the photoresist pattern and moving the substrate in a second direction opposed to the during spraying the stripping composition onto photoresist pattern (col. 16, lines 45-65).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

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not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muraoka (Muraoka, US 6,699,330) of record.

With regard to claim 6, Muraoka does not disclosed specific concentration of the ozone gas included in the acetic acid is about 80,000 to about 90,000ppm.

However, Muraoka teaches a general concentration of ozone gas included in the acetic acid (col. 16, lines 44-50). Accordingly, it would have been obvious to one of ordinary skill in art to use teaching Muraok in the range as claimed, because it has been held that where the general conditions of the claims are discloses in the prior art, it is not inventive to discover the optimum or workable range by routine experimentation. MPEP 2144.05.

4. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muraoka (Muraoka, US 6,699,330) in view of Mei et al. (Mei, US 6,864,529).

With regard to claims 11 and 12, Muraoka the layer (col. 16, line 35-40) and the photoresist pattern (col. 16, lines 37-40) as a mask to form a pattern and removing the photoresist pattern using the stripping composition (col. 16, lines 50-55).

Muraoka fails to teach the layer comprises a gate layer having a first gate wiring layer and a second gate wiring layer and etching gate wiring layer and the etching the first gate wiring layer to form a first gate wiring layer pattern and the gate layer comprises a Cr layer and an Al layer.

However, Mei teaches the layer comprises a gate layer (Fig. 5, 310, 414A-414C) having a first gate wiring layer 315 and a second gate wiring layer 318 and etching gate wiring layer and the etching the first gate wiring layer to form a first gate wiring layer pattern (Fig. 5) and the gate layer comprises a Cr layer and an Al layer (see floating layer 414 A- 414C, where in floating layer can be made of Cr and Al See Col. 4, lines 65-67). At the time the invention was made; it would have been obvious to a person having ordinary skill in the art to use “the layer comprises a gate layer having a first gate wiring layer and a second gate wiring layer and etching gate wiring layer and the etching the first gate wiring layer to form a first gate wiring layer pattern” teaching of Mei in the forming a pattern of Muraoka because the layer including gate layer and having first gate wiring and second gate wiring easily included Muraoka structure to make external connection for a semiconductor device.

5. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muraoka (Muraoka, US 6,699,330) in view of Mei et al. (Mei, US 6,864,529) and further in view of Degendt et al. (Degendt, 2002/0088478).

With regard to claims 13-15, Muraoka teaches the photoresist pattern is removed using the stripping composition (col. 16, lines 50-55) and Mei teaches first and second gate wiring layers using an etching (Fig. 5), but Muraoka and Mei fail to teach etching gas comprises a chlorine gas a contact hole is formed according to etching the first and second gate wiring layers.

However, Degendt teaches chlorine gas included in the stripping composition to remove photoresist film [0014, 0016 wherein organic contamination is also photoresist

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[0080]. At the time the invention was made; it would have been obvious to a person having ordinary skill in the art to use “a stripping composition included a chlorine gas” teaching of Degendt in the forming a pattern of Muraoka and Mei because chlorine can act like an active agent in order to have an interaction of the gas phase and the liquid phase taking place on the surface of the semiconductor wafer as taught by Degendt in [0014].

***Allowable Subject Matter***

5. Claims 16-18 are allowed.

The following is an examiner's statement of reasons for allowance: with respect to claims 16-18, there is no prior art available or obvious motivation to combine elements of prior art which teach forming a semiconductor layer pattern and an ohmic contact pattern by etching the semiconductor layer and the doped amorphous silicon layer; forming a conductive material on the semiconductor layer pattern and on the ohmic contact pattern; forming a data line, a source electrode and a drain electrode by etching the conductive material; forming a passivation layer on the data line, the source electrode and the drain electrode; forming a second photoresist pattern including novolak on the passivation layer; etching the passivation layer to form a contact hole partially exposing the drain electrode; removing the second photoresist pattern using a stripping composition including an acetic acid and an ozone gas included in the acetic acid as a bubble form; and forming and etching transparent conductive material layer to form a pixel electrode.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ELIAS ULLAH whose telephone number is (571)272-1415. The examiner can normally be reached on weekdays, between 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thao Le can be reached on (571) 272-1708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Elias Ullah/  
Examiner, Art Unit 2892

/Thao X Le/  
Supervisory Patent Examiner, Art  
Unit 2892